

Bucke 1  
Robinson



**NOTE:**

- Ridge at Haystack is outlined in blue
- The township and range is the bold black lettering/numbering (Township 27 North, Range 23 East)
- The Sections are either in the lower right hand corner or the top right hand corner of the section outlines.

*Just for reference, the Ridge at Haystack is primarily located within Sections 13, 14, and 15 all within T. 27 N., R. 23 E.W.M.*

Dave Klein  
206-972-6755



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

**CERTIFICATE OF WATER RIGHT**

*file*

☐

Surface Water

(issued in accordance with the provisions of Chapter 117, Laws of Washington for 1917, and amendments thereto, and the rules and regulations of the Department of Ecology.)

☒

Ground Water

(issued in accordance with the provisions of Chapter 263, Laws of Washington for 1945, and amendments thereto, and the rules and regulations of the Department of Ecology.)

PRIORITY DATE  
January 5, 1981

APPLICATION NUMBER  
G4-27232

PERMIT NUMBER  
G4-27232P

CERTIFICATE NUMBER  
G4-27232C

NAME

Robison Orchards, Inc.

ADDRESS (STREET)

Route 1 Box 146

(CITY)

Chelan

(STATE)

Washington

(ZIP CODE)

98816-9755

*This is to certify that the herein named applicant has made proof to the satisfaction of the Department of Ecology of a right to the use of the public waters of the State of Washington as herein defined, and under and specifically subject to the provisions contained in the Permit issued by the Department of Ecology, and that said right to the use of said waters has been perfected in accordance with the laws of the State of Washington, and is hereby confirmed by the Department of Ecology and entered of record as shown, but is limited to an amount actually beneficially used.*

**PUBLIC WATERS TO BE APPROPRIATED**

SOURCE

A well and infiltration trench

TRIBUTARY OF (IF SURFACE WATERS)

MAXIMUM CUBIC FEET PER SECOND

MAXIMUM GALLONS PER MINUTE

540

MAXIMUM ACRE-Feet PER YEAR

189.75

QUANTITY, TYPE OF USE, PERIOD OF USE

For irrigation of 55 acres from April 1 through October 31 each year.

**LOCATION OF DIVERSION/WITHDRAWAL**

APPROXIMATE LOCATION OF DIVERSION/WITHDRAWAL

2000 feet north and 225 feet west from the south quarter corner of Section 10

LOCATED WITHIN (SMALLEST LEGAL SUBDIVISION)

NE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION

10

TOWNSHIP N

27 N

RANGE (E. OR W.) W. 1/4

23 E

W. 1/4

50

COUNTY

Douglas

**RECORDED PLATTED PROPERTY**

LOT

BLOCK

OF (GIVE NAME OF PLAT OR ADDITION)

**LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED**

55 acres of irrigable lands within: portions of the W $\frac{1}{2}$ NW $\frac{1}{4}$  and the NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 15; and a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 16; all within T. 27 N., R. 23 E.W.M., Douglas County, Washington.



PROVISIONS

Mr. Robison is advised that this certificate authorizes a maximum withdrawal rate of 540 gallons per minute from his well. Appropriate controls must be maintained on the water delivery system to ensure that the authorized maximum withdrawal rate is not exceeded.

At such time that the Department of Ecology determines that regulation and management of the subject waters is necessary and in the public interest, an approved measuring device shall be installed and maintained in accordance with RCW 90.03.360.

All water wells constructed within the state shall meet the minimum standards for construction and maintenance as provided under RCW 18.104 (Washington Water Well Construction Act of 1971) and Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Water Wells).

Installation and maintenance of an access port as described in Ground Water Bulletin No. 1 is required. An air line and gage may be installed in addition to the access port.

This authorization to use public waters of the state is classified as a FAMILY FARM PERMIT in accordance with Chapter 90.66 RCW (Initiative Measure No. 59). This means the land being irrigated under this authorization shall comply with the following definition: Family Farm - a geographic area including not more than 2,000 acres of irrigated agricultural lands, whether contiguous or noncontiguous, the controlling interest in which is held by a person having a controlling interest in no more than 2,000 acres of irrigated agricultural lands in the State of Washington which are irrigated under water rights acquired after December 8, 1977. Furthermore, the land being irrigated under this authorization must continue to conform to the definition of a family farm.

*The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, except as provided in RCW 90.03.380, 90.03.390, and 90.44.020.*

*This certificate of water right is specifically subject to relinquishment for nonuse of water as provided in RCW 90.14.180.*

*Given under my hand and the seal of this office at Yakima, Washington,*

*this 30th day of November, 1995.*

Department of Ecology

ENGINEERING DATA

OK *df*

9x117/SL:ska

by

*Darlene M. Frye*  
Darlene M. Frye, Section Manager

FOR COUNTY USE ONLY

Sandy said  
please feel free  
to place app in  
folder, near her,  
awaiting "updated  
App" - Ewin

7.27.11

11:45am



**Zahler, Rebecca (ECY)**

**From:** Haller, Daniel R. (ECY)  
**Sent:** Wednesday, July 27, 2011 9:35 AM  
**To:** Zahler, Rebecca (ECY)  
**Subject:** FW: Haystack Discussion  
**Attachments:** application for new water right b surface water only.doc

Sounds like a revised app is being mailed. dh

Daniel R. Haller, P.E.  
Office of Columbia River  
Department of Ecology, Central Region Office  
15 W Yakima Ave, Suite 200  
Yakima, WA 98902-3452

(509) 454-4255 phone  
(509) 575-2809 fax  
[dhal461@ecy.wa.gov](mailto:dhal461@ecy.wa.gov)

7-25-11 / Unable to  
determine fees -  
application incomplete,  
• QA/QA missing  
• Should be separated  
into GW/SW APPS?  
DAVE KLINE Erin G

**From:** Mark Peterson [<mailto:markp@nwi.net>]  
**Sent:** Wednesday, July 27, 2011 9:29 AM  
**To:** Christine Johnson  
**Cc:** Haller, Daniel R. (ECY); 'david kline'  
**Subject:** Re: Haystack Discussion

Dear Dan, please treat this e-mail as an amendment to the application that Christine is sending to make it a ground water application only. We'll send another application for the surface water, but it will not be intended to be additive in quantities.

Dear Dave and Christine, please see the attached amended application for surface water. Please print on legal size paper and mail it as you did before with the \$50 check.

Mark Peterson  
Peterson Law Office  
1227 First Street  
Wenatchee, WA 98801  
509.264.1882 phone  
816.817.4435 fax

**From:** [Christine Johnson](#)  
**Sent:** Tuesday, July 26, 2011 1:47 PM  
**To:** 'Mark Peterson'  
**Cc:** 'Haller, Daniel R. (ECY)'; 'david kline'  
**Subject:** FW: Haystack Discussion

Dan,  
I will resend by e mail the 8 1/2 x 14 signed by Dave.

Mark,  
Can you answer his second questions?

Dan - Would like to reject this one. Can't map it - can't check signatures - 1/4 of all pages of App are missing/cut off. Apparently this is a Mark Peterson project. Ridge at Haystack - Dave Kline - Corral Spring Water DIST. - Have you been working w/ them. See also Erine comments. Debra

7-25-11



Thanks,

---

**From:** Haller, Daniel R. (ECY) [mailto:DHAL461@ecy.wa.gov]  
**Sent:** Tuesday, July 26, 2011 1:34 PM  
**To:** david kline; Christine Johnson  
**Subject:** RE: Haystack Discussion

Hi Dave and Christine,

I'm writing to request some additional help on the application you submitted, which we received in our office on July 22, 2011. You'll be getting a letter from our office shortly on this, but wanted to get back to you in advance since you had already emailed me about it.

First, the copy you submitted is incomplete. The application is designed to be printed out on legal paper (8-1/2 x 14) and you printed it on letterhead (8-1/2 x 11). The result is the bottom 3 inches of each page is missing, which contains important info for us.

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Your application will retain its priority date while you work on cleaning it up. Please feel free to call if you have further questions.

Thanks. Dan.

Daniel R. Haller, P.E.  
Office of Columbia River  
Department of Ecology, Central Region Office  
15 W Yakima Ave, Suite 200  
Yakima, WA 98902-3452

(509) 454-4255 phone  
(509) 575-2809 fax  
[dhal461@ecy.wa.gov](mailto:dhal461@ecy.wa.gov)

---

**From:** david kline [mailto:dave@ddkline.com]  
**Sent:** Tuesday, July 19, 2011 2:38 PM  
**To:** Haller, Daniel R. (ECY); Christine Johnson  
**Subject:** RE: Haystack Discussion

Thanks Dan, we will take a look.

*Regards*  
*Dave Kline*  
206-972-6755

---

**From:** Haller, Daniel R. (ECY) [mailto:DHAL461@ECY.WA.GOV]  
**Sent:** Tuesday, July 19, 2011 11:40 AM  
**To:** Christine Johnson



**Cc:** [dave@ddkline.com](mailto:dave@ddkline.com)

**Subject:** RE: Haystack Discussion

Hi Christine and Dave,

I think you may have a typo on one of the 4 sections you listed as the location of the proposed point of diversion or withdrawal. On page 2, should Section 26 instead be Section 16, based on your map on page 3? If it is a typo, you can send a letter asking to amend your application to make that correction. Thanks. Dan.

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[dhal461@ecy.wa.gov](mailto:dhal461@ecy.wa.gov)

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**From:** Christine Johnson [<mailto:4CBA@centurytel.net>]

**Sent:** Friday, July 15, 2011 2:36 PM

**To:** Haller, Daniel R. (ECY)

**Cc:** [dave@ddkline.com](mailto:dave@ddkline.com)

**Subject:** RE: Haystack Discussion

Hi Dan,

Dave Kline asked me to send these to you for your review. We have submitted them with the check but if you have any changes/suggestions, pls. let us know asap.

Thank you,

*Christine Johnson*  
*Creative Business Advantage*  
425-222-6224 (office)  
425-222-6235 (fax)  
[4cba@centurytel.net](mailto:4cba@centurytel.net)

---

**From:** david kline [<mailto:dave@ddkline.com>]

**Sent:** Thursday, July 14, 2011 9:22 AM

**To:** [4CBA@centurytel.net](mailto:4CBA@centurytel.net)

**Subject:** FW: Haystack Discussion

This is the guy from D.O.E. we need to send him a copy of the application, maybe before we submit it?

*Regards*  
*Dave Kline*  
206-972-6755

---

**From:** Haller, Daniel R. (ECY) [<mailto:DHAL461@ECY.WA.GOV>]

**Sent:** Wednesday, June 01, 2011 12:53 PM

**To:** Zimmerman, Breean (ECY); david kline



**Cc:** Christine Johnson  
**Subject:** RE: Haystack Discussion

Hi Dave,

I am currently working on water supply projects in your area for municipal supply. These include both our Lake Roosevelt Release project and our Sullivan Lake Reoperation project. Both could potentially serve your project if you file an application. Below is a link to our website where you can see more info on each project (following the project funding link), or feel free to give me a call regarding timing and permit conditions. Dan.

<http://www.ecy.wa.gov/programs/wr/cwp/crwmp.html>

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15 W Yakima Ave, Suite 200  
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(509) 454-4255 phone  
(509) 575-2809 fax  
[dhal461@ecy.wa.gov](mailto:dhal461@ecy.wa.gov)

---

**From:** Zimmerman, Breean (ECY)  
**Sent:** Wednesday, June 01, 2011 7:16 AM  
**To:** 'david kline'  
**Cc:** Christine Johnson  
**Subject:** FW: Haystack Discussion

Forgot to attach the email I referenced in my email below.

---

**From:** Zimmerman, Breean (ECY)  
**Sent:** Wednesday, June 01, 2011 6:42 AM  
**To:** 'david kline'  
**Cc:** 'Christine Johnson'  
**Subject:** RE: Haystack Discussion

Dave,

Per our telephone discussion last Friday, May 27<sup>th</sup>, I am sending you this email to provide an overview of the internal discussion between myself, my supervisor, Melissa Downes, and senior staff for Office of Columbia River Program (OCR), Dan Haller. The topic of our discussion was your project "Ridge at Haystack".

Based on information you've provided through a number of phone conversations, email, and two different meetings with you, myself and our previous Water Resources section manager, Mark Schuppe, on March 25, 2009, and again on October 12, 2010, my understanding of your project is as follows:

- Consists of approximately 49 lots equaling approximately 600 acres.
- With the exception of 21 parcels you have already sold, all parcels are owned by either incorporation or a limited liability corporation where you are a governing person and Christine Johnson is the authorized agent.

These would include the following businesses, but may not be limited to:

- Ridge at Haystack, Inc.
- Haystack LLC
- Sandstone View LLC
- Basalt Bluffs LLC



- Shear Granite LLC
- Alta Heights LLC
- All parcels owned or previously owned by either you or the companies listed above are part of an association. I believe you referred to the association as the "Ridge at Haystack Association".
- All properties/parcels are covered by the same Covenants, Conditions, and Restrictions (CC&R's).
- You will install power to all the lots/parcels
- You will grade new roads, as required by the county, but will also be paving the roads.

Ecology continues to believe and as stated in comments provided to the Douglas County Planning Department through the State Environmental Policy Act (SEPA), and recommendations provided in previous meetings, this project requires water rights based on Ecology's interpretation of RCW 90.44.050 and further supported by Case Law as in the case of Campbell & Gwinn.

The purpose of use for the water rights that would serve this project would be considered water for "municipal supply purposes" as defined in RCW 90.03.015. The groundwater exemption as described in RCW 90.44.050 does not recognize municipal supply purposes. Because 21 lots have already been sold, the potential for this project to be out of compliance with the water code is great. Ecology believes the 21 lots will exceed 5,000 gallons per day as provided by the groundwater exemption and ultimately this project requires water rights, water rights that will likely be considered municipal.

We have provided options and information for pursuing water rights for your project, please see the email attached. I know that you've also worked a bit with our OCR program. I recommend continuing to work with OCR and discuss options for pursuing a new water right through application with OCR. For more information please contact Dan Haller at 509-454-4255 or at [dhal461@ecy.wa.gov](mailto:dhal461@ecy.wa.gov).

Thank you,  
Breean Zimmerman  
Department of Ecology  
Water Resources Program  
(509) 454-7647

---

**From:** Christine Johnson [<mailto:4CBA@centurytel.net>]  
**Sent:** Thursday, May 26, 2011 12:01 PM  
**To:** Zimmerman, Breean (ECY)  
**Cc:** 'david kline'  
**Subject:** FW: Haystack Discussion  
**Importance:** High

Good Morning Breean,

To assist in preparation of your meeting today at 3:30 pm, I have attached a map of the original land as it was purchased five years ago. As indicated in a previous e mail, our original land purchase was 7/12/2006. Also attached is a map of the 20 acre parcels as it stands now which are legal lots of record.

As we discussed, we would like to provide power and pave the roads. The property is zoned one lot per five acres. As mentioned, we will be selling twenty acre parcels. In the event that a buyer would like to subdivide the twenty acres, it is required by Douglas County that when you subdivide property, you must also provide common covenants for your property which we would also like to do thru our existing home owners association. As well as the above, in order to pursue this avenue, we need to know the guidelines in which they will be able to provide water for their parcel.



Please call me either doing the meeting or after if I can provide any additional information that would contribute to a satisfactory resolution to this McNeil Canyon property between us and DOE.

Thank you for your assistance.

Dave Kline  
206-972-6755

---

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 10.0.1390 / Virus Database: 1518/3789 - Release Date: 07/26/11



## Haller, Daniel R. (ECY)

---

**From:** Haller, Daniel R. (ECY)  
**Sent:** Tuesday, July 26, 2011 1:34 PM  
**To:** 'david kline'; Christine Johnson  
**Subject:** RE: Haystack Discussion

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Thanks. Dan.

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*Creative Business Advantage*  
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Breean Zimmerman  
Department of Ecology  
Water Resources Program  
(509) 454-7647

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**Sent:** Thursday, May 26, 2011 12:01 PM  
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**Cc:** 'david kline'  
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Thank you for your assistance.

Dave Kline  
206-972-6755



# RECEIPT

Department of Ecology (4610)  
PO Box 47611  
Olympia, WA 98504-7611  
(360) 407-7095

Receipt Number  
Manual Receipt

12CJ000740

Document Number 461R0069 CJ Date 07/21/2011 FM 01

Remitter Name RIDGE AT HAYSTACK INC Receipt Name

Check/Draw Number 5552

Document Amount 50.00

Method of Payment Check

Comment Description WATER RIGHT - CRO

REF DOC NR	REF DOC SFX	INV NR	ID NR	SUB ID NR	T C R	FUND	MAJ GRP	MAG SRC	SUB SRC	CNTY	WORK CLS	RIC	AI	ORG	PRJ	SUB PRJ	PRJ PHS	SUB OBJ	SUB SUB OBJ	VAR GL	SUB DR	SID CR	SID	ALLOC AMT
			001	001	02	85	000011																	50.00

RECEIVED

JUL 22 2011

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE